

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Corrections and Institutions to which was referred
3 House Bill No. 102 entitled “An act relating to Art in State Buildings
4 Program” respectfully reports that it has considered the same and recommends
5 that the bill be amended by striking out all after the enacting clause and
6 inserting in lieu thereof the following:

7 Sec. 1. 29 V.S.A. chapter 2 is amended to read:

8 CHAPTER 2. ART IN STATE BUILDINGS

9 § 41. ART IN STATE BUILDINGS; PURPOSE; ESTABLISHMENT

10 (a) Purpose. The State of Vermont, ~~recognizing the need to enhance~~
11 recognizes that public art enhances the working environment, ~~to improve;~~
12 improves the character and quality of State buildings ~~in order~~ to create an
13 environment of distinction, enjoyment, and pride for all citizens, ~~and to~~
14 ~~encourage the donation of works of art to the State for its permanent collection~~
15 ~~or for exhibition in State buildings or facilities;~~ hereby establishes a program;
16 adds value to the cultural, aesthetic, and economic vitality of the State, and
17 contributes to the State’s identity.

18 (b) Establishment. The Art in State Buildings Program is hereby
19 established to provide funds for and authorize the purchase, design,
20 commission, fabrication, installation, and integration of permanent works of art
21 at the time during of new construction or renovation of State buildings and

1 other facilities and the maintenance and conservation of art commissioned
2 under the Program.

3 § 42. DEFINITIONS

4 Unless the context specifically indicates otherwise, as used in this chapter,
5 the following definitions shall apply:

6 * * *

7 (8) “State building or facility” means any State building, facility,
8 permanent structure, park, or appurtenant structure thereof, wholly or partially
9 enclosed, owned or leased by State government, the University of Vermont and
10 State Agricultural College, or Vermont State Colleges, that is to be constructed
11 or renovated in part or totally with funds from any appropriation of the General
12 Assembly. The term does not include highways, airport runways, or taxi ways,
13 hangars, railroad tracks, sidings or yards, garages, sheds, warehouses, heating
14 plants, sewers, parking lots ~~and parking garages~~, bridges, highway garages,
15 correctional facilities, or buildings used for storage or that are of a temporary
16 nature. The term does not include buildings or facilities owned by units of
17 local government, including school districts.

18 (9) “Project site” means any State building or facility undergoing new
19 construction or renovation with a total project cost of \$1,000,000.00 or more
20 that has been ~~approved~~ recommended for consideration by the Commissioner
21 pursuant to this chapter.

* * *

§ 43. ART ACQUISITION FUND

(a) An Art Acquisition Fund is created to finance the design, construction, integration, and purchase or commissioning of works of art to be included as an integral part of the structure of State buildings and facilities under the Art in State Buildings Program. Such works of art may be attached to the structure or may be detached within or outside the structure.

(b) Amounts in the Art Acquisition Fund at the end of each fiscal year shall not revert to the General Fund.

(c) Amounts in the Fund shall be expended upon order of the Council for acquisition or commissioning of works of art and for administration, as provided in this chapter.

Commented [RW1]: Clarify that Council administers fund ?

§ 44. FUNDS TRANSFER FOR ART

(a) The Commissioner of Buildings and General Services, with the approval of the Secretary of Administration, ~~may shall~~ transfer ~~up to~~ \$50,000.00 not less than \$75,000.00 in any single fiscal year to the Art Acquisition Fund, from capital funds appropriated for projects ~~which that~~ are eligible for the installation of works of art under this chapter. The Council shall include in its proposed biennial capital budget request, as described in 32 V.S.A. § 310, a separate line item for the Art Acquisition Fund.

Commented [RW2]: Remove if separate line item?

1 (b) Of the funds transferred under subsection (a) of this section, ~~\$5,000.00~~
2 not more than 15 percent shall be available for use by the Council for the
3 expenses of administering this chapter.

4 (c) Funds may be transferred under this section without further approval or
5 appropriation by the General Assembly.

6 § 44a. POWERS AND DUTIES OF COMMISSIONER

7 (a) The Commissioner shall:

8 (1) ~~Advise~~ advise the Council on the administration of this chapter.;

9 (2) ~~Approve up to two~~ recommend project sites ~~per year~~ for
10 consideration under this chapter for the installation of artwork.;

11 (3) ~~Establish~~ establish procedures for accepting the donation to the State
12 of artwork for installation in State buildings or facilities.;

13 (4) ~~Establish~~ establish procedures for communicating with artists
14 interested in donating artwork to the State under the provisions of this chapter.;

15 (5) ~~Review~~ review the final installation and placement of artwork.;

16 (6) ~~Assist~~ assist occupants and contracting agencies in locating liability
17 insurance for artwork when necessary. ; and

18 (7) ~~Ensure~~ ensure that early in the building design phase, the architect
19 will discuss the placement and form of artwork with the selected artist, and that
20 bid specifications will inform potential contractors of the artwork to be
21 installed in the building or facility. and

1 (1) necessary site preparation such as wall or ground preparation to
2 receive the works of art, including standard lighting and structural footings;
3 and

4 (2) any decorative or landscape elements peripheral to the artworks
5 themselves and any services such as water, electricity, or lighting that are
6 needed to activate the artwork.

7 § 47. ADVISORY COMMITTEE

8 (a) There is established ~~an advisory committee~~ the Art in State Buildings
9 Advisory Committee to oversee the administration of the Art Acquisition
10 Fund.

11 (b) The ~~advisory committee~~ Advisory Committee shall consist of the
12 following or a designee:

13 (1) the Commissioner, of Buildings and General Services;

14 (2) the ~~director~~ Director of the Arts Council;

15 (3) the Chairs of the House Committee on Corrections and Institutions
16 and the Senate Committee on Institutions;

17 (4) the State Curator; and

18 (5) the Chair of the Vermont Board of Architects. ~~Legislative members~~
19 of the committee shall be entitled to per diem compensation and expense
20 reimbursement for attending committee meetings pursuant to the provisions of

21 ~~2 V.S.A. § 23.~~

1 (c) The ~~committee~~ Committee shall:

2 (1) oversee the administration of this chapter;

3 (2) establish guidelines for the selection, acquisition, and commission of
4 works of art; and

5 (3) establish guidelines for the composition of the art selection panel.

6 (d) Legislative members of the committee shall be entitled to per diem
7 compensation and expense reimbursement for attending Committee meetings
8 pursuant to the provisions of 2 V.S.A. § 23.

9 (e) The selection of works of art to be installed under this chapter in
10 facilities of the University of Vermont and State Agricultural College and of
11 the Vermont State Colleges shall be made pursuant to procedures of these
12 institutions for this purpose.

13 § 48. POWERS AND DUTIES OF COUNCIL

14 (a) The Council shall facilitate a process that will result in a
15 recommendation of an artist or artist team for each project selected for
16 installation of artwork. The artist or artist team shall collaborate with the
17 project architect or design team during the initial design phase of the project.

18 (b) Following design of the project, the Council shall:

19 (1) Appoint persons to serve on the art selection panel.

20 (2) Establish contract procedures for ~~contracting~~ commissioning with
21 artists for the design and creation of works of art and with architects for

1 services related to the planning for the acquisition and commission of works of
2 art.

3 (3) On the advice of the art selection panel, arrange contracts with artists
4 and order payments from the ~~art acquisition fund~~ Art Acquisition Fund for
5 such works of art.

6 (4) Review the final installation and placement of works of art. In the
7 case of works to be commissioned, the art selection panel shall review the
8 design, the final execution, and the placement of the commissioned work.

9 ~~(5) Assist occupant and contracting agencies in locating insurance when
10 it deems such insurance is necessary for the protection of the works of art that
11 are purchased. [Repealed.]~~

12 (c) Without further appropriation, the Council may expend funds
13 transferred to it for administration of this chapter.

14 Sec. 2. EFFECTIVE DATE

15 This act shall take effect on July 1, 2023.

16
17
18
19 (Committee vote: _____)

1

2

Representative _____

3

FOR THE COMMITTEE